



NEWS RELEASE

APACHE COUNTY SUPERIOR COURT

For more information, please contact:

Betty Smith, Court Administrator
Apache County Superior Court
P.O. Box 667
St. Johns, AZ 85936-0667
Phone: (928) 337-7677
Bsmith2@courts.az.gov

October 22, 2009

Juvenile Disposition Hearing Delayed

ST. JOHNS – At a hearing earlier today, Apache County Attorney Michael Whiting advised the Court that recent media statements are inaccurately attributed to him. The Court inquired of Whiting in response to news articles reporting that lack of funding prevents the Court from sentencing the juvenile at this time.

Superior Court Judge Pro Tempore Roca told those present in the courtroom that his inclination is to reject the disposition provisions of the Memorandum of Agreement signed on February 18, 2009. The agreement stipulates that the juvenile be placed on Intensive Probation Supervision and provided treatment. The Court went on to state that funding is not the issue, indicating that the Presiding Judge committed the county's entire treatment budget to this juvenile. In addition, the Administrative Office of the Courts stepped up months ago and committed to help identify disposition solutions and provide additional funding.

The Court said that if he were to reject the plea agreement, he would be inclined to commit the juvenile to the Arizona Department of Juvenile Corrections (AJDOC). He sees no apparent alternative available to the Court. Even though the Juvenile Probation Department is second to none, AJDOC has access to a wider skill pool to meet the needs of the juvenile. It was agreed that counsel would discuss the implications of a plea rejection with their clients and that counsel will confer with AJDOC officials to identify available services. To assist AJDOC, the Court ordered that sealed reports of the experts who have examined the juvenile be provided to AJDOC.

Following discussion of the juvenile's educational needs, a Status Conference was set for November 10, 2009 at 1:30 p.m.

#####